

REMARKS

Claims 1-19 are pending.

Claims 1-19 were rejected under 35 USC 103(a) as being unpatentable over Beeson, Jr., et al., U.S. Patent 5,396,543, in view of Bjorndahl, P. "CME 20- A Total Solution for GSM Networks". This rejection is respectfully traversed.

The Examiner admits that Beeson fails to teach that for respective mobile radio telephone-specific data for defining condition for a subscriber-contended control of actions in a mobile switching center, the data is established subscriber-individually for at least one mobile subscriber via the operation and management sub-system. However, the Examiner asserts that Bjorndahl teaches this feature. The Examiner also asserts that these references are combinable because they are in the same field of endeavor, namely controlling switching-oriented actions in mobile radio telephone system and it would have been obvious to combine to perform tasks in the operation and maintenance sub-system to reduce administrative work load and enable management of rapid growth (citing pg. 78, col. 2, last paragraph).

The Examiner asserts that Bjorndahl discloses establishing respective mobile radio telephone-specific data for defining conditions for a subscriber-contended control of actions in a mobile switching center, the data being established subscriber-individually for at least one mobile subscriber via the operation and maintenance sub-system (citing Figs. 5, 6, page 78, column 2, last paragraph – page 79, col. 1, first paragraph). Applicants respectfully disagree.

According to page 78, col. 2, last paragraph of Bjorndahl, "all subscription parameters are stored in the home location register (HLR)." In other words, a complete upload is performed for installing an HLR, but data defining conditions for a subscriber-contended control of actions in a mobile switching center are not an established "subscriber-individually" as claimed in claim 1. Moreover, the subscription parameters do not define conditions for a subscriber-contended control of actions "in" a mobile switching center as claimed in claim 1.

Further, there would not have been any motivation to combine Beeson with Bjorndahl without having knowledge of the claimed invention, because Beeson is directed to the technical field of "signaling arrangements" and Bjorndahl is directed to international roaming services in an Ericsson GSM system. While in some very broad sense they may be related technologies, the specifics of what is disclosed in the respective references is sufficiently distinct such that one of ordinary skill in the art would not have been motivated to consider Bjorndahl to modify Beeson to "perform tasks in the operation and maintenance sub-system to reduce administrative work load and enable management of rapid growth," as asserted by the Examiner.

Moreover, even if Beeson with Bjorndahl were combined, such a combination would not result in an operable device because, according to Bjorndahl, "all subscription parameters are stored in the home location register (HLR) . . . and the parameters are entered by use of OSS", i.e., a complete upload is performed for installing a HLR, and, according to Beeson, data changes are "customer initiated" (page 12, line 2), so that if the data in both applications were the same, "specific data for defining conditions for a subscriber-contended control of actions in a mobile switching center, the data being established subscriber-individually" (claim 1) – which they are not in both cases - the combination could not work as data cannot be changed individually customer defined and at the same time also be installed generally (not subscriber-individually) by an HLR upload.

Claim 19 is patentable for the same reasons claim 1 is patentable. Claims 2-18, depending either directly or indirectly from claim 1, are similarly patentable. In view of the foregoing, Applicants respectfully request that this rejection be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 44912-2016200.

Dated: February 12, 2004

Respectfully submitted,

By Deborah S. Gladstein

Deborah S. Gladstein

Registration No.: 43,636

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7753